

AMENDED IN ASSEMBLY MARCH 31, 2005

CALIFORNIA LEGISLATURE—2005—06 REGULAR SESSION

ASSEMBLY BILL

No. 1524

Introduced by Assembly Members Laird and Nava

February 22, 2005

An act to ~~add Section 30629 to~~ amend Section 11005 of the Government Code, and to amend Section 31402.2 of the Public Resources Code, relating to coastal resources.

LEGISLATIVE COUNSEL'S DIGEST

AB 1524, as amended, Laird. ~~California Coastal Act: offer to dedicate~~ Coastal resources: property dedications: conservation and open-space easements.: :

Existing law requires that, unless the Legislature specifically provides that approval is not required, every gift or dedication to the state of personal property, or every gift to the state of real property in fee or in a lesser estate or interest, be approved by the Director of Finance, and every contract for the acquisition or hiring of real property in fee or in a lesser estate or interest, entered into by or on behalf of the state, be approved by the Director of General Services. However, existing law exempts from those requirements, among other things, the acceptance by the State Coastal Conservancy of offers to dedicate public accessways made pursuant to specified provisions of the California Coastal Act of 1976.

This bill would additionally exempt from those requirements the acceptance by the conservancy of conservation easement or open-space easement made pursuant to the act.

Existing law requires that the conservancy accept an outstanding offer to dedicate a public accessway, as described, that has not been

accepted by another public agency or nonprofit organization within 90 days of its expiration date.

This bill would also require the conservancy to accept an offer to dedicate a conservation easement, or an open-space easement that has not been accepted by another public agency or nonprofit organization with 90 days of the expiration date of the outstanding offer.

~~The California Coastal Act of 1976 provides for the planning and regulation of development within the coastal zone, as defined. The California Coastal Commission administers the act and, among other things, prepares procedures for coastal development permit applications.~~

~~This bill would require the commission to establish a system to track an offer to dedicate property or an easement that occurs as a result of mitigation for coastal development that reduces coastal access, habitat, or views.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1. The Legislature finds and declares all of the~~
2 ~~following:~~

3 ~~(a) Maintaining and increasing public access to California~~
4 ~~coastal beaches and coastal trails for present and future~~
5 ~~generations is of primary interest to the state.~~

6 ~~(b) The state has a duty to assure that mitigation for coastal~~
7 ~~development that limits public access to and views of the coast~~
8 ~~shall be implemented to protect access to California coastal~~
9 ~~beaches and coastal trails for present and future generations.~~

10 ~~SEC. 2. Section 30629 is added to the Public Resources~~
11 ~~Code, to read:~~

12 ~~30629. The commission shall establish a system to track an~~
13 ~~offer to dedicate property or an easement that occurs as a result~~
14 ~~of mitigation for coastal development that reduces coastal access,~~
15 ~~habitat, or views.~~

16 ~~SECTION 1. Section 11005 of the Government Code is~~
17 ~~amended to read:~~

18 ~~11005. (a) Unless the Legislature specifically provides that~~
19 ~~approval is not required, every gift or dedication to the state of~~

personal property, or every gift to the state of real property in fee or in ~~any~~ a lesser estate or interest, shall be approved by the Director of Finance, and every contract for the acquisition or hiring of real property in fee or in ~~any~~ a lesser estate or interest, entered into by or on behalf of the state, shall be approved by the Director of General Services. ~~Any~~ A contract entered into in violation of this section is void. This section applies to ~~any~~ a state agency that, by general or specific statute, is expressly or impliedly authorized to enter into transactions referred to in this section.

(b) This section does not apply to ~~(1) to the following:~~

(1) ~~An unconditional gift of money, (2) to the.~~

(2) ~~The acquisition or hiring by the Department of Transportation of real property in fee or in any lesser estate or interest for highway purposes, but does apply to the hiring by that department of office space in any office building, (3) to contracts.~~

(3) ~~A contract entered into under the authority of Chapter 4 (commencing with Section 11770) of Part 3 of Division 2 of the Insurance Code, (4) to the~~

(4) ~~The receipt of donated, unencumbered personal property from private sources received in conjunction with the administration of the Federal Surplus Personal Property Program by the Department of General Services, (5) to the.~~

(5) ~~The receipt of gifts of personal property in the form of interpretive or historical objects, each valued at fifteen thousand dollars (\$15,000) or less, by the Department of Parks and Recreation, or (6) the.~~

(6) ~~The acceptance by the State Coastal Conservancy of offers an offer to dedicate public accessways a public accessway, conservation easement, or open-space easement made pursuant to Division 20 (commencing with Section 30000) of the Public Resources Code.~~

SEC. 2. Section 31402.2 of the Public Resources Code is amended to read:

31402.2. The conservancy shall accept ~~any outstanding an~~ offer to dedicate a public accessway, described in Section 31402.1, or an offer to dedicate a conservation easement or open-space easement, that has not been accepted by another

- 1 public agency or nonprofit organization within 90 days of ~~its~~ *the*
- 2 expiration date *of the outstanding offer*.

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